****- Confirm the business need and contribution to the business strategy

**Costs applications against convicted defendants**

- Secure commitment of stakeholders and senior managers

- Ensure consideration of a wide range of options at an early stage

 (A section heading. All text should go under the sub-heads.)

1. CPS policy is to apply for costs against convicted defendants or unsuccessful appellants under s18 of the Prosecution of Offences 1985, unless the circumstances of a specific case mean that such an application would lack merit or an order for costs would be impractical.

The application for prosecution costs must relate solely to costs directly incurred by the CPS in the preparation and presentation of the case. The CPS cannot benefit from the award, nor can it be used as an indirect penalty.

1. The CPS does not time-record activity on cases and cannot calculate a precise cost for each case. It would be too great an administrative burden to do so. The guideline rates are therefore derived from an assessment of average staff preparation costs, including advocacy in magistrates’ courts and time spent in the Crown Court by paralegal officers/assistants. This approach was approved by the Court of Appeal in the case of R v Dickinson 2010 EWCA Crim 2143; 2011 1 Cr App R (S) 93.
2. The following guideline rates provide a benchmark to estimate the costs incurred by the CPS for various types of court proceedings.

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| **Magistrates' Court** | Early Guilty Plea | £85 |
| Late Guilty Plea / Cracked Trial | £400 |
| Trial | £650 |

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| **Crown Court** | Committal for Sentence\* | £650 |
| Appeal Against Sentence\* | £650 |
| Appeal Against Conviction\* | £650 |
| Guilty Plea at Plea and Trial Preparation Hearing (PTPH)  | £1,000 |
| Late Guilty Plea / Cracked Trial | £1,630 |
| Trial | £4,380 |

(\* includes magistrates’ courts cost)

1. The rates are indicative of single defendant cases only and the figure should therefore be increased by 20% for each additional defendant. It may also be appropriate to increase the amount applied for where the case prosecuted was complex cases, involving complicated legal issues or extended preparation.
2. Witness costs, expert fees, advocate fees and other specific disbursements should be added to these figures where appropriate and calculable.
3. The award of costs and value of any order is at the discretion of the judiciary.